

07/07/01

A

Please type a plus sign (+) inside this box [ + ]

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 42390P11146

(maximum 12 characters)

First Named Inventor Richard Qian

Title: Creating and Managing Portable User Preferences for Personalization Media Consumption from Device to Device

Express Mail Label No. EL 906880639 US

ADDRESS TO: **Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231**

#### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original, and a duplicate for fee processing)

#### EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EL906880639US  
I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

3. ☒ **Specification (Total Pages 31)**

- (preferred arrangement set forth below)
- Descriptive Title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

June 29, 2001  
Date of Deposit

Krista Matheson  
Name of Person Mailing Correspondence  
Krista Matheson 6/29/01  
Signature Date

4. ☒ **Drawings(s) (35 USC 113) (Total Sheets 8)**

5. ☒ **Oath or Declaration (Total Pages 5)**

- a. ☒ Newly Executed (Original or Copy)
- b. ☐ Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 17 completed)
  - i. ☐ **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- c. ☐ Unsigned.

6. ☐ **Application Data Sheet. (37 CFR 1.76)**

7. ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**

8. ☐ **Nucleotide and/or Amino Acid Sequence Submission**  
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
  - i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☐ paper
- c. ☐ Statement verifying identity of above copies

# **ACCOMPANYING APPLICATION PARTS**

9. ☒ **Assignment Papers (cover sheet & documents(s))**
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- ☐ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ a. Information Disclosure Statement (IDS)/PTO-1449
- ☐ b. Copies of IDS Citations
13. ☐ **Preliminary Amendment**
14. ☒ **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. ☒ Other: Express Mail Certification

**18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)  
Of Prior Application No.: \_\_\_\_\_ Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_

(which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. \_\_\_\_\_,  
which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that \_\_\_\_\_ (name of assignee) is  
the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an  
assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_  
(or a copy of which is attached).

## **19. Correspondence Address**

\_\_\_\_\_ Customer Number or Bar Code Label \_\_\_\_\_  
or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)

☒ Correspondence Address Below

NAME \_\_\_\_\_

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (303) 740-1980 FAX (303) 740-1980

Name (PRINT/TYPE): Michael A. DeSanctis Registration No.: 39,957

Signature: \_\_\_\_\_ Date: June 29, 2001

## FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) \$ 1,090.00

Complete if Known:

Application No. \*\*\*\*\*  
Filing Date Concurrently Herewith  
First Named Inventor Richard J. Qian  
Group Art Unit Not Yet Assigned  
Examiner Name Not Yet Assigned  
Attorney Docket No. 42390P11146

### METHOD OF PAYMENT (check one)

1. ☒ [ X ] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name EXPRESS MAIL CERTIFICATE OF MAILING

- ☒ [ X ] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ [ ] Applicant claims small entity status. See 37 CFR 1.27

Express Mail® mailing label number: EL906880639US  
I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail" Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

2. ☒ [ X ] Payment Enclosed: ☒ [ X ] Check ☐ [ ] Credit Card ☐ [ ] Money Order ☐ [ ] Other

June 29, 2001  
Date of Deposit

### FEE CALCULATION

#### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description                    | Fee Paid |
|--------------|----------|--------------|----------|------------------------------------|----------|
| Code         | Fee (\$) | Code         | Fee (\$) |                                    |          |
| 101          | 710      | 201          | 355      | Utility application filing fee     | \$710.00 |
| 106          | 320      | 206          | 160      | Design application filing fee      |          |
| 107          | 490      | 207          | 245      | Plant filing fee                   |          |
| 108          | 710      | 208          | 355      | Reissue filing fee                 |          |
| 114          | 150      | 214          | 75       | Provisional application filing fee |          |

SUBTOTAL (1) \$ 710.00

#### 2. EXTRA CLAIM FEES

|                    |  | Extra Claims |           | Fee from below |                | Fee Paid |                 |
|--------------------|--|--------------|-----------|----------------|----------------|----------|-----------------|
| Total Claims       |  | - 20** =     |           | X              |                | =        |                 |
| <u>30</u>          |  |              | <u>10</u> | X              | <u>\$18.00</u> | =        | <u>\$180.00</u> |
| Independent Claims |  | - 3** =      |           | X              |                | =        |                 |
| <u>5</u>           |  |              | <u>2</u>  | X              | <u>\$80.00</u> | =        | <u>\$160.00</u> |
| Multiple Dependent |  |              |           |                |                | =        |                 |

\*\*Or number previously paid, if greater; For Reissues, see below.

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Code         | Fee (\$) | Code         | Fee (\$) |   |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                    |
| 102          | 80       | 202          | 40       | Independent claims in excess of 3                         |
| 104          | 270      | 204          | 135      | Multiple dependent claim, if not paid                     |
| 109          | 80       | 209          | 40       | **Reissue independent claims over original patent         |
| 110          | 18       | 210          | 9        | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 340.00

### FEE CALCULATION (continued)

T 0 6 8 8 0 6 3 9 U S

PTO-2038-12-01-00

### 3. ADDITIONAL FEES

| Large Entity              |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------------|----------|--------------|----------|--|----------|
| Code                      | Fee (\$) | Code         | Fee (\$) |  |          |
| 105                       | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127                       | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                       | 130      | 139          | 130      | Non-English specification  |          |
| 147                       | 2,520    | 147          | 2,520    | For filing a request for ex parte reexamination                            |          |
| 112                       | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113                       | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115                       | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116                       | 390      | 216          | 195      | Extension for reply within second month                                    |          |
| 117                       | 890      | 217          | 445      | Extension for reply within third month                                     |          |
| 118                       | 1,390    | 218          | 695      | Extension for reply within fourth month                                    |          |
| 128                       | 1,890    | 228          | 945      | Extension for reply within fifth month                                     |          |
| 119                       | 310      | 219          | 155      | Notice of Appeal   |          |
| 120                       | 310      | 220          | 155      | Filing a brief in support of an appeal                                     |          |
| 121                       | 270      | 221          | 135      | Request for oral hearing   |          |
| 138                       | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                       | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141                       | 1,240    | 241          | 620      | Petition to revive - unintentional   |          |
| 142                       | 1,240    | 242          | 620      | Utility issue fee (or reissue)   |          |
| 143                       | 440      | 243          | 220      | Design issue fee   |          |
| 144                       | 600      | 244          | 300      | Plant issue fee  |          |
| 122                       | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123                       | 130      | 123          | 130      | Petitions related to provisional applications                              |          |
| 126                       | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581                       | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) | \$40.00  |
| 146                       | 710      | 246          | 355      | For filing a submission after final rejection (see 37 CFR 1.129(a))        |          |
| 149                       | 710      | 249          | 355      | For each additional invention to be examined (see 37 CFR 1.129(b))         |          |
| 179                       | 710      | 279          | 355      | Request for Continued Examination (RCE)                                    |          |
| 169                       | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) _____ |          |              |          |  |          |
| Other fee (specify) _____ |          |              |          |  |          |

**SUBTOTAL (3) \$ 40.00**

\*Reduced by Basic Filing Fee Paid

#### SUBMITTED BY:

Typed or Printed Name: Michael A. DeSanctis

Signature:  Date: June 29, 2001

Reg. Number: 39,957 Telephone Number: 303-740-1980

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.